

# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #ATL-14-004

### TITLE: Supporting Traditional Peacemaking and Incorporation into Tribal Justice Systems

#### EXECUTIVE COMMITTEE

##### PRESIDENT

**Brian Cladoosby**  
*Swinomish Indian Tribal Community*

##### FIRST VICE-PRESIDENT

**Randy Noka**  
*Nanugawett Tribe*

##### RECORDING SECRETARY

**Robert Shepherd**  
*Sisseton Wahpeton Oyate*

##### TREASURER

**Dennis Welsh**  
*Colonado River Indian Tribes*

#### REGIONAL VICE-PRESIDENTS

##### ALASKA

**Jerry Isaac**  
*Tanana Chiefs Conference*

##### EASTERN OKLAHOMA

**S. Joe Crittenden**  
*Cherokee Nation*

##### GREAT PLAINS

**Leander McDonald**  
*Spirit Lake Tribe*

##### MIDWEST

**Aaron Payment**  
*Sandh St. Mairic Tribe of Chippewa Indians*

##### NORTHEAST

**Lance Gumbs**  
*Shinnecock Indian Nation*

##### NORTHWEST

**Fawn Sharp**  
*Quinault Indian Nation*

##### PACIFIC

**Rosemary Morillo**  
*Saboba Band of Mission Indians*

##### ROCKY MOUNTAIN

**Ivan Posey**  
*Eastern Shoshone Tribe*

##### SOUTHEAST

**Ron Richardson**  
*Haitim-Saponi Indian Tribe*

##### SOUTHERN PLAINS

**Stephen Smith**  
*Kiowa Tribe of Oklahoma*

##### SOUTHWEST

**Manuel Heart**  
*Ute Mountain Ute Tribe*

##### WESTERN

**Arlan Melendez**  
*Reno Sparks Indian Colony*

#### EXECUTIVE DIRECTOR

**Jacqueline Johnson Pata**  
*Tlingit*

#### NCAI HEADQUARTERS

1516 P Street, N.W.  
Washington, DC 20005  
202.466.7767  
202.466.7797 fax  
www.ncai.org

**WHEREAS**, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native Tribal governments; and

**WHEREAS**, Indian Country continues to experience disproportionate levels of violent crime, substance abuse, domestic violence, suicide, incarceration and unresolved historical trauma; and

**WHEREAS**, most Tribal Courts have developed as systems of justice based on an imposed adversarial system, and many times our traditional systems of justice could bring more suitable results to our communities and operate more cost-effectively; and

**WHEREAS**, we believe that incorporating traditional dispute resolution systems and approaches, commonly referred to as "Peacemaking," into Tribal justice systems is a key to both public safety and individual dignity in Indian Country; and

**WHEREAS**, across and among all Tribal nations there are problem solving traditions that include a spiritual dimension relying on the connectedness of all things and a community of people providing the basis for public safety and personal responsibility; and

**WHEREAS**, the revitalization of Peacemaking traditions for finding justice, promoting healing and restoring dignity among our families, clans, communities, and nations is a key component needed to overcome plaguing problems ranging from historical trauma and colonization to alcoholism and suicide; and

**WHEREAS**, in 2011 the Native American Rights Fund (“NARF”) administered a survey of justice workers across Indian Country which identified a broad desire to revitalize traditional justice that, for centuries, was the strength of Tribal communities, providing a process for mending the damage done between victim and offender and promoting the physical, emotional, social, and cultural health of those Tribal communities; and

**WHEREAS**, as a result of that survey, NARF founded the Indigenous Peacemaking Initiative, and recruited participation from many leading peacemakers from across Indian Country in its efforts to revive or revitalize the strengths of these indigenous practices by providing guidance and assistance to tribes and communities desiring to participate in the re-emergence and prominence of indigenous justice systems and practices; and

**WHEREAS**, the United Nations’ Declaration on the Rights of Indigenous Peoples, at Article V, unequivocally supports the right of Tribal nations to reinvigorate and revive their own Peacemaking traditions in the context of their own communities and to support and seek support for the efforts of all Tribal nations to do the same; and

**WHEREAS**, support for efforts like that of the Indigenous Peacemaking Initiative and of Tribal nations seeking to implement peacemaking in their own justice systems has been sparse and intermittent, hindering their ability to utilize their own dispute resolution systems perfected over millennia of successful use in their communities despite their desire to do so; and

**WHEREAS**, Peacemaking is a process of healing, a much needed ingredient to bring hope and prosperity to Indian country.

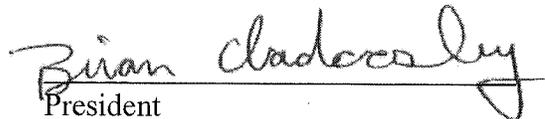
**NOW THEREFORE BE IT RESOLVED**, that in the interests of protecting and promoting tribal sovereignty, strengthening Tribal governments, advancing Tribal self-determination and advancing health and welfare of American Indians and Alaska Natives by providing more culturally appropriate and functional dispute resolution systems, the NCAI does hereby express its support for traditional Peacemaking and for those Tribal nations who incorporate traditional Peacemaking into their Tribal justice systems; and

**BE IT FURTHER RESOLVED**, that the NCAI supports and promotes the Native American Rights Fund’s national Indigenous Peacemaking Initiative, and encourages Tribal nations to support the initiative; and

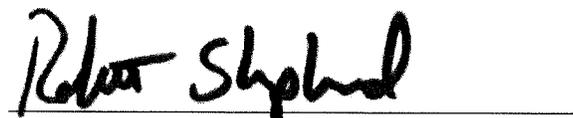
**BE IT FINALLY RESOLVED**, that the NCAI shall assist in advocating for enhanced funding for Peacemaking, through membership donations and other funding sources.

**CERTIFICATION**

The foregoing resolution was adopted by the General Assembly at the 2014 Annual Session of the National Congress of American Indians, held at the Hyatt Regency Atlanta, October 26-31, 2014 in Atlanta, Georgia, with a quorum present.

  
President

ATTEST:

  
Recording Secretary